

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION**

**JANE DOE,**

**Plaintiff,**

**vs.**

**LIMESTONE UNIVERSITY F/K/A  
LIMESTONE COLLEGE, COLLINS  
MURPHY, MG FREESITES, LTD., d/b/a  
PORNHUB.COM, and HAMMY MEDIA  
LTD. d/b/a XHAMSTER.COM,**

**Defendants.**

**Case No.: 7:21-CV-03193-JD**

**PLAINTIFF’S REPLY TO DEFENDANTS RESPONSE IN OPPOSITION (DKT. NO. 45)**

Plaintiff, by and through her undersigned counsel, hereby files this reply to Defendant HML Response in Opposition to Plaintiff’s Motion to hold the Court’s Ruling in Abeyance, and states as follows:

**I. Plaintiff’s Motion is clear on its face regarding the relief sought.**

In Defendant HML’s Response in Opposition to Plaintiff’s Motion, Defendants assert that the Plaintiff seeks to have the Court postpone her obligation to file a response to their pending Motion for Judgment on the pleadings, this is unfortunately untrue. On March 29, 2022, the parties conducted a 26(f) conference in the present case. During that conference, counsel discussed, at length, this action and the associated case filed before this court.<sup>1</sup> Despite efforts to come to a resolution, the parties could not come to an agreement regarding this case, and as such, decided each party would file their own 26(f) report delineating each party’s position on this

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<sup>1</sup> Does 1-9 v. Murphy et al. 7:20-cv-0947-JD

case, the pending Motions, and the scheduling order deadlines. Plaintiff's Motion for a Stay of the Court's ruling was born out of the inability for the parties to reach an agreement.

Contrary to Defendants argument that Plaintiff has not opposed their Motion, the Court may look to the record and see Plaintiff filed her Response in Opposition to Defendant HML Motion for Judgment on the Pleadings. See Dkt. No. 46. Additionally, within Plaintiff's Motion for an abeyance, Plaintiff in plain language requested the Court hold its ruling on Defendant's Motion in abeyance **until the Court ruled on the pending Motions in the associated case.** While Defendants claim they are unclear as to what the Plaintiff is requesting, Plaintiff's request was clear and plainly set forth in her Motion. Plaintiff is not seeking some indefinite deadline; rather, she only requests that the final ruling on the Motion be held until the matters in the associated case are resolved. Plaintiff is surprised that Defendants do not anticipate an amendment of her pleadings because it would seem apparent that an amendment would be forthcoming. Defendants attempt to 'muddy' the waters by alleging that Plaintiff is attempting to catch them off guard. The parties have communicated at length regarding this matter, and the Plaintiff would respectfully request a status conference with the Court if it is determined that there are any outstanding questions.

## **II. Plaintiff's Motion is not aimed at burdening Defendant HML.**

Defendants assert that Plaintiff is attempting to increase the burden on Defendants by filing her Motion. This is untrue. By requesting the Court hold its ruling on the pending Motion in abeyance, Plaintiff is not adding any additional hurdles for Defendants. While Defendants allude to undue delay, it was Defendants who were opposed to the current Scheduling Order dates as being 'too aggressive'. All Plaintiff seeks to accomplish is to better serve both the Court and the parties time in this matter, and to not create duplicative efforts. Plaintiff would submit that a

status conference would be most appropriate to discuss this matter and to better inform the Court regarding the same.

**CONCLUSION**

Plaintiff was clear in her request to the Court for it to hold its ruling on the pending Motion for Judgment on the Pleadings in Abeyance. The Defendants are not any more burdened by the current litigation as a result of Plaintiff's Motion. As such, the Court should Grant Plaintiff's request to hold its ruling in abeyance. In the alternative, Plaintiff requests a status conference or hearing to discuss the matters of this case.

Respectfully submitted,

**BELL LEGAL GROUP, LLC**

/s/ J. Edward Bell, III

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April 4, 2022  
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